

# Quid Novi



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## ORIENTATION WEEK

By Ami Kotler, LLB I

"Hubris, pure hubris." With these words, one Orientation organizer summed up the week of meetings, parties and spontaneous encounters that finally wound up on Tuesday with the Pub Crawl. Most will remember these events as a friendly and fun-filled romp, assuming, that is, that they remember anything at all.

Most people enjoyed the Orientation experience very much ("My law partner is a hunk", gushed one enthusiastic 1st year student) and appreciated the gentle introduction into what can initially be a very confusing place ("Why does it say 'Spare Audi Parts' outside the door?" wondered one stumied Classics major from U of T). McGill also measured up favourably in

relation to similar programs put on by other educational institutions. One Edmonton native summed up his Orientation experience, saying "It was OK... It was alright... It was better than the University of Alberta." An eager 2nd year student concurred, adding that McGill Orientation was "a wonderful way to end a festive Winnipeg summer."

Although many students attended most of the activities, there was general agreement that poor weather had dampened attendance (get it?) and that not as many people participated as would have been liked. "Where are the big hunky law firms?", moaned one disappointed 1st year student from rural Ontario. Not all 1st years ended up with their law partners, but this could be easily fixed, it was suggested by a

helpful 4th year student, by sharing one's law partner among several friends. "Basically, the problem is the myth of the 1 law partner family," she explained, "Myself, I wouldn't want more than 3, but that's just me. What with my career plans and all, I just feel I have to cut down on dependents."

While the culinary arrangements were not up to everyone's satisfaction, ("not enough Jell-O" commented one disappointed 1st year. Another agreed, adding "I expected at least one free drink" in tones of moral outrage). The high point of the Orientation experience was definitely the chance to meet people from all over the country and outside of it, and to trade all kinds of fascinating information. For example, did you know that at one point or

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## MESSAGE FROM YOUR V.P. EXTERNAL

By Christoph Sicking; BCL II

Greetings from your V.P. External. You all know that you are members of the Law Student Association (LSA) if you are an undergraduate student studying Law here. You should also know that at the same time you are members of the Student Society of McGill University (SSMU), the organization that represents all undergraduate students on this campus. As V.P. External, one of my jobs is to represent the interests of our Law Student Association at SSMU. If ever you have any questions or concerns regarding the activities of SSMU, please don't hesitate to contact me by either

leaving a message in my box in the LSA office or by calling 398-6966. Since most Law students spend most of their time at the Law faculty our interaction with the rest of the campus is often somewhat limited. It is important however, that you know what's going on. This is why I'm writing you this note.

### 1. The Health Plan:

Last year, the members of SSMU -you-, voted in a referendum to opt into a campus wide student prescription health plan. This

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# ANNOUNCEMENTS / ANNONCES

**THE MCGILL/INTERAMICUS HUMAN RIGHTS FORUM** - will be inaugurated this year with the talk by **Justice Minister Kim Campbell** on Wednesday, September 30th, from 12:30 - 2:00 p.m. in the Moot Court Room of the Law School.

The Human Rights Forum - titled as "Conversations on Human Rights" - is being initiated for the first time as a Forum with distinguished scholars, advocates, and decision makers from the human rights and public policy arena. The Forum is being co-sponsored by the McGill Faculty of Law in association with InterAmicus, a McGill-based Human Rights NGO under the chair of Professor Irwin Cotler.

Other Forums in the series are:

- **Alan Borovoy, General Counsel,**  
C.C.L.A.  
Wednesday, November 4th
- **Madame Justice Beverley McLachlin,**  
Supreme Court of Canada  
Wednesday, November 25th
- **Professor Kathleen Mahoney,**  
University of Calgary  
Wednesday, January 13th
- **The Right Honourable Antonio Lamer,**  
Chief Justice of Supreme Court of Canada  
Wednesday, February 10th
- **Madame Justice Rosalie Abella**  
Ontario Court of Appeal  
Wednesday, March 10th

The format for these Human Rights Forums will involve an initial presentation by the speaker for about 20 - 30 minutes, to be followed by a 45

minute discussion or "Conversation" on human rights matters. Indeed, Chief Justice Antonio Lamer has even asked that his talk be titled "A Conversation with the Chief Justice", and most of that Human Rights Forum will probably be exactly that - a conversation with Chief Justice Antonio Lamer.

**THE MCGILL LAW JOURNAL** - The next edition of the McGill Law Journal, volume 37(1) and (2) is now available to all second, third, and fourth year students. You can pick up your copie from Sadie's.

**YEARBOOK 1991-1992** - For those who have paid for last year's yearbook, we will be distributing them this week in the Pit:

- Wednesday September 30th, 12-2
- Thursday October 1st, 12-2
- Friday, October 2nd, 11:30 -2

Please have your receipt with you to avoid confusion. Also we will be taking names for those interested in working on this year's yearbook.

**LSA BOOKSTORE HOURS** - The LSA Bookstore hours until October 9th:

- Monday 11-1
- Thursday 2:30 - 4:30

After October 9th, we will be closed until January. Many thanks to all generous volunteers who lent a hand during the first two weeks.

**COMPUTER LAB** - If you registered last year to use the McGill LSA computer lab (note: this is not the same as being a registered McGill law student) then you must register this year. When you come to the computer lab to register, please inform the

volunteer on duty that you were already registered last year.

If you did not register to use the lab last year, or if you are a new law student then you must register with a volunteer before you can use the computers.

Volunteers are on duty weekdays between 12-1 pm. Please do not disturb volunteers at other times as they are also students and, consequently, have lots of work to do.

## COIN DES SPORTS CORNER

Bonjour, le comité sportif est heureux de vous énoncer quelques unes des activités en préparation. First, the intramural sports began last week. Look for our soccer, flagfootball, softball, and ultimate teams. You are always welcome to see us and cheer. The teams for hockey, basketball and, volleyball are still looking for teammates. Hurry, if you want to be part of those winning teams.

Deuxièmement, nous organisons présentement une rencontre entre la faculté de droit et la faculté de médecine. Cette rencontre, surnommée la "Malpractice Cup", devrait se tenir au début Octobre... nous vous tiendrons au courant.

Finalement, à plus long terme, nous préparons les Jeux' Ridique 1993 (Law Games) qui auront lieu à Sherbrooke en janvier prochain. For this special event we want to raise funds so that it will cost less for all students that want to participate.

If you have any suggestions or questions, please come and talk to your athletic coordinator Marie-Josée Legault, or any of your friendly members of the Sports Committee.

## GREENSPACE

**By Jennifer Griffith; LLB III**

The Environmental Law Association of McGill/ L' Association du Droit de l'Environnement (ELAM/L' ADEM) wishes to welcome all new students to the faculty and welcome back the returning students.

One of the goals of ELAM is to reduce waste in the faculty. To this end we

would like to point out that paper recycling boxes are available in some of the first floor lecture halls, in the library photocopy room, and outside the LSA office in the basement. Aluminium can collection bins can be found in the Pit and outside lecture halls on the first and second floors.

ELAM is hoping to negotiate with the new cafeteria service to promote

cheaper coffee to those who use their own mugs, so bring a mug from home and save money. Why not also bring your own personalized beer stein to coffee-house?

Anyone interested in becoming involved with ELAM/I' ADEM look for announcements of meetings on the ELAM bulletin board in the basement, near the pool room.



## INTERNSHIP AT THE UNITED NATIONS; MY SUMMER IN THE BIG APPLE

By Jennifer Woollcombe

When I applied for an Internship at the United Nations last November, I felt somewhat like I was sending my application off to a big black hole of bureaucracy. When, in April, the Project Manager for Human Rights in the UN Department of Public Information called to offer me an internship, I was absolutely thrilled. Home for 12 weeks in New York, I wanted to share something of what this fabulous experience was all about.

My Internship responsibilities were essentially to assist the Project Manager for Human Rights in the Department of Public Information as she undertook preparatory work for both the World Conference on Human Rights and the 1993 International Year for the World's Indigenous People. This involved a great variety of tasks. For instance, I attended coordination meetings with others from the UN Secretariat in New York, the Centre for Human Rights in Geneva, representatives of UN agencies and representatives of non-governmental organizations. I followed the Economic and Social Council meetings on human rights and racial discrimination in order to brief the Project Manager. I updated the status of local language versions of the Universal Declaration of Human Rights. My special assignments were to research and draft two articles which will be translated and will appear in the UN Press Kits for the International Year and the World Conference.

The first article was on Indigenous Peoples and Intellectual and Cultural Property Rights. Covering a broad spectrum of rights from rights over medicinal plants and genetic plant varieties, to indigenous control over cultural artifacts and burial grounds, these are areas of bitter controversy. They are areas on which the UN Working Group on Indigenous Populations has recently focused its attention and are topics which will emerge as the world looks to the concerns of indigenous peoples during the International Year.

The other article was on the Girl Child as a priority focus in developing countries. The World Conference on Human Rights will

look at human rights accomplishments since 1945 and barriers to further progress. By examining the plight of girls in particular, the United Nations system is focusing on the equality of access to such key human rights as education and health.

As well as these projects, I had the chance to attend meetings or talks which interested me in order to capture a sense of what was really happening at the UN. I was able to attend the Security Council meetings to hear Nelson Mandela's address and the discussions on South Africa. I attended a three day seminar for human rights non-governmental organizations on the rights of the Palestinians. I listened as Secretary General Boutros Boutros-Ghali introduced the United Nations appeal to combat the effects of the drought in Southern Africa. I heard Canadian Maurice Strong outline how he foresees the world implementing environmental decisions taken at the Rio earth Summit. I met staff, diplomats and other Interns from around the world.

Spending a summer in New York was an extra bonus to working at the UN. Yes, the city is expensive, but there are also kinds of things to do which cost less than you might expect. From outdoor opera in Central Park to clubs in Greenwich Village, there were restaurants to try, theatre performances not to miss and far more museums and galleries than I could have visited. There were always places just to wander — Soho, Chinatown, Washington Square Park or through the Upper East side — never knowing what you might discover. While the city is mesmerizing and exciting, New York really does have an enormous gap in wealth. The problems of homelessness and poverty confront one on a daily basis as you are continuously asked for money. Though they say New Yorkers cope by turning a blind eye to it, I found this difficult. That said, New York offers a summer student more than I had hoped for.

The biggest drawback of the programme is that Internships are unpaid. I was fortunate in that I received a contribution towards my expenses from the Dean's office and was hired to do some work for Professor Cotler, both while I was there and on my return. Though this means it still is an expensive

proposition, I think it was worthwhile and would recommend it highly.

I learned an enormous amount, both about the work of the UN and about the field of international human rights. I am currently doing further work in these areas through the International Centre for Human Rights and Democratic Development at which I am doing the Clinic Course. Though I was the only Canadian Intern in the Secretariat, I think this is because few Canadians have applied in the past. I have brought back a number of applications for the programme which anyone is welcome to pick up from Professor Toope or me. In addition to the programme I was in, through the Secretariat, several UN agencies also take Interns. Applications for next summer have to be made six months in advance so if you are interested, do not delay. I would be pleased to answer questions or be of any help I can.

### LSA REPORT

By Alan McConnell; LLB III  
Vice-President Common Law

All first year students should be well aware by now that they are in the midst of an election campaign - welcome to Law School. The campaign to elect first year Class Presidents is scheduled for Wednesday September 30 and Thursday October 1, while election day itself is slated for Friday October 2.

Selon la constitution de l'AED, il y a quatre responsabilités et devoirs primordiaux de chaque président de classe:

1. Faire le lien entre sa classe et le Conseil exécutif;
2. Représenter sa classe lors des réunions du Conseil législatif;
3. Tenir une réunion avec sa classe lorsque nécessaire;
4. Faire le lien entre sa classe et le comité de l'album.

Put simply, the Class President represents the interests of his or her class in student government. The Law Students Association, for its part, aims to promote the academic, social and professional interests of its members within the Faculty, University, and outside community.

The position, therefore, carries with it considerable responsibility. Students are urged to get involved in the election process and vote! A strong, effective and open student government is the best way to advance our interests as law students.



(Orientation Week  
Cont'd from p.1)

another, everyone in Winnipeg's mother went out with Neil Young? Yes, and not only that, but Ontario has not only a town called London, but also a town called Paris. There's nothing like a law party to bridge cultural divides and bring people together!

The Orientation parties were generally well received (although one disgruntled 1st year fresh out of CEGEP explained to me that what we really needed was "a BIG party... a FRENCH party!"), but many first years were left in fear and trembling by the upper year student's ability and willingness to engage in constant revelry. One 1st year student confided in me that he believed that there was a conspiracy, shared by all upper year students, dedicated to ensuring that he got at least a hundred pages behind in all his courses. Sadly, this reporter must agree, since after the Tutorial Dinner, one upper year student resorted to physical violence when I declined his offer to go to "Chez Swan" (I have almost no cultural knowledge base, and thought he was inviting us for Chinese food...). Mind you, he was kind enough afterward to explain exactly what kind of tort he had committed and what steps I would take to obtain compensatory relief...

Despite their best efforts, however, we must be learning something, since while I was researching this article, one 1st year student warned me not to use his name, saying "We could sue you for libel. That's a tort!"

## IN THE NAME OF EQUITY

By Joshua Fireman; BCL III

"If we are going to create a new elected institution, it should deal with under-representation of key groups in society not just that of smaller provinces." I couldn't agree more with this statement by Judy Rebeck, president on the National Action Committee on the Status of Women. She is incontestably correct when she goes on to say that "with no spending limits, no public assistance in financing and a variety of criteria for selection of candidates that favour **white men**, nomination battles raise almost insurmountable barriers for most women, minorities, poor people and **others**."

It is the catch-all category of "other" that, in particular, impresses me as a thought-provoking notion, as it leaves the possibility that non-traditional underprivileged groups may eventually get as important a say in national politics as Newfoundlanders. In fact, Ms. Rebeck's never ending stream of cogent and well thought out remarks have inspired me to take up the cause of a societal group that is subjected to a constant litany slings, barbs and general inequitable behaviour. I am referring, of course, to the **follically challenged** (FCs).

For those unenlightened neanderthals unfamiliar with FCs, they are what was once referred to in society as bald men. "Bald men", however, is clearly a term carrying heavy negative connotations. "Bald", for instance, is obviously a term designed to impact negatively on the self-esteem of FCs. It is used to make them feel like fringe members of the human community; persons lacking in follicle cellular strength. And, calling someone a "man" places an even heavier burden on the now-already stigmatized individual. "Men", after all, are the sentient biological constructs who are single-handedly responsible for all of the ills that have been visited on this planet since the first amoeba was granted the right to vote. Clearly, combining the words "bald" and "men" place an unjustified stigma on FCs who want nothing more than to live their lives in peace.

The problem is, however, that peace appears to

be an utopian ideal forever denied to FCs. FCs are subjected to everything from comedic ridicule to negative stereotyping affecting their chances for advancement in the workplace. Hollywood, for instance, is never above using the old "toupee in the breeze" gag to get a few cheap laughs at the expense of this minority group. More importantly, in the workplace, FCs are often seen as less competent and dependable than their follically advantaged office-mates. In fact, this aspect of the trials and tribulations of the FCs was bitingly satirized in *The Simpsons*, when Homer Simpson, himself an FC, experienced a rise and fall of the proportions of the Roman Empire that corresponded inversely to the rise and fall of his hairline.

Clearly, it is a constant struggle for FCs to maintain their self-esteem in the face of society's negative attitudes toward hair-loss. Certainly, at select points in time, FCs attain certain amounts of respect and even adoration within society. But, this is due much more in part to pop culture guilt (where is Telly Savalas today?) than a true understanding that the follically challenged are no different to anyone else.

The only way for FCs to dispel the false beliefs and stereotypes that revolve around hair loss is for them to lead public opinion by example. It is for this reason that FCs deserve Senate representation based on their proportional share of the population. By demonstrating that FCs can govern just as competently as our present Cabinet full of follically advantaged ministers, they will finally be able to take their places amongst the movers and shakers of this country. And, perhaps politicians like Jean Cr tien and Mike Harcourt will become nothing more than bad memories, as truly gifted FCs take their place on the national stage.

As Ms Rebeck put it, "our political leaders have the opportunity to make a dramatic gesture toward equality and inclusion [...] they have the chance now to deliver an electoral system for the Senate that will soon open doors to the full political participation of all Canadians." Bravo Judy! I couldn't have said it better myself.

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## Message From V.P. External (Cont'd. from p. 1)

is **not a voluntary plan**. In other words, you are forced to pay into it, and can only opt out if you meet certain requirements. The yearly cost of the plan is about \$43 per year and it covers 80% of the actual cost of prescription drugs, as well as oral contraceptives, which are subject to a maximum payment of \$8. It doesn't cover male pattern baldness, fertility drugs or patent medicines. For more information on the plan, you can pick up a pamphlet at the Information Kiosque at the Student Union Building, recently renamed "William Shattner Building".

This is how you can opt out of the plan:

- a) pick up a waver form at the Kiosque in the William Shattner Building (note: pick up two waver forms if you want to opt out for both semesters),
- b) give proof of an existing plan,
- c) submit all this information to the front desk of the Student Society, which is also in the William Shattner Building, by **October 6, 1992**.

Some members don't like the fact that unless you meet these very specific requirements, you are forced to pay into the plan. Most Student Associations in this country have mandatory health plans, like ours, were forced to hold subsequent referenda about two years after adopting it. This because either students felt that they wanted to vote again, or because the cost of the plan had gone up due to an increase in claims. Your students society is just learning how to deal with such a plan, and its future success will probably depend on the kind of infrastructure that one can put in place to ensure that people know about it and use it. If you have any concerns regarding the plan you can contact Sue Nickerson, V.P. Finance of SSMU at 398-6800, or myself.

### 2. Tuition fees and McGill's participation in the Québec student movement:

Tuition fees in Québec had been frozen for a long time, when the government decided in 1989-1990 to bring them up to "national standards". In 1989 students were paying \$540 a year. Today in 1993, tuition fees have gone beyond \$1,400 a year. Back in 1989, when the government made public its intention of increasing tuition fees for Universities, the Québec student movement had a hard time responding in a unified and

concerted fashion. Some felt that such a drastic measure called for mass action: demonstrations, etc.; others felt that students had demonstrated enough without getting results, and that it was time for a more reasoned approach. Your SSMU followed the latter approach and joined a provincial student organization called "La Fédération Universitaire d'Étudiant(e)s du Québec" (FEUQ).

It is important to note that since the early 1980's McGill students had not belonged to any provincial or national student organization. FEUQ's approach was based on the idea of a partnership: students would accept to contribute more if both government and business were willing to increase their commitment to post-secondary education. Unfortunately, while students were forced to contribute more, neither the government nor business kept its side of whatever bargain was then envisaged. This year tuition fees have gone up, while McGill's operating grant was cut by \$1.5 million! Also, McGill students decided last year in a referendum to withdraw from FEUQ. Students also decided in a referendum that they disagreed with any further tuition fee increases. It is difficult to see how McGill, an anglophone university, will have any kind of political leverage without being affiliated with a provincial student organization. But that is the situation right now. Increases in tuition fees can have an especially harsh effect upon Law students. Our course load being fairly intense, and without the option to pursue part-time studies, it can be difficult to juggle a part-time job and full-time studies. If you feel strongly on this issue, or have any ideas on where to go from here, contact Jeff Percival, V.P. External of SSMU, at 398-6798, or myself.

### 3. Getting involved.....

As a member of the nominating committee of LSA, I was surprised to see how many of our members were interested in participating in one of the many LSA and Faculty Council committees. Unfortunately, there were more people interested than there were committees, and I can honestly say that Josh, your V.P. Civil, Ron, your V.P. Finance, and I were frustrated that we could not place everyone. There are, however, a number of committees that you may want to apply for. The deadline for people interested in sitting on a senate committee was September 18. Posters were put up all around the faculty, so I hope that you had a chance to apply. If any other Senate committees seats open up, I will let you know.

The SSMU is currently looking for student representatives who are upper year students to sit on their Judicial Board. There may also be positions available on other student society committees. If you are interested in getting involved, call Julie, V.P. Internal at 398-6799, or myself.

### 4. LSA issues:

#### **Elections:**

A number of you felt that the last election was not sufficiently advertised. Maybe, if more people had known about the fact that you could run for a position on the LSA, more positions would have been contested. This year, your LSA has committed itself to changing the rules on elections. Without preempting what is going to come out of it, we will hopefully come up with rules that focus on better ways of publicizing both the elections and the candidate's platforms. Philippe de Grandpré is our Chief Electoral Officer for this year; if you have any suggestions, please write them down and leave them in the box at the LSA.

#### **Incorporation:**

The University administration wants all faculty associations to become incorporated. The way things look right now, we will not be able to receive liquor licences if we are not incorporated. More on this later.

#### **Thompson House:**

I believe that it would be great if we could all have direct access to Thompson House, the Post Graduate Student Society's (PGSS) social centre. Already, after some subtle lobbying, the PGSS has reduced its individual membership rate for professional schools from \$65.60 to \$50 (tax included). Maybe, if we all joined collectively, we could bargain for a much lower rate, and all Law students would be automatically admitted. This entails a fee increase and therefore a referendum. The last time the LSA moved on this issue was in 1984; unfortunately negotiations broke down in the last minute. I will bring a proposal to this effect to the LSA council. If people like the idea, we can get the ball rolling again. Please let me know what you think.

#### **Trip to New York:**

Since last year's trip to the United States was such a success, we're doing it again this year. It will happen in the middle of October. Watch for posters advertising the event.

That's all for now.



## TERRITORIES AND INTERNATIONAL LAW; CJLSA SPONSORS SPEECH BY PRESIDENT OF TEL-AVIV UNIVERSITY

By David Abitbol; BCL III

The President of Tel-Aviv University, Professor Yoram Dinstein, spoke in front of approximately 85 people in the Moot Court room last Monday. The program, co-sponsored by the Canadian Friends of Tel-Aviv University, the Canada-Israel Committee (Quebec) and Hillel, was the Canadian Jewish Law Students Association's first program of the semester.

Professor Dinstein is the founder and editor of the Israel Yearbook on Human Rights and has written extensively on subjects relating to international law, human rights and the laws of armed conflict. He has previously served as the rector of Tel-Aviv University, dean of the University's law faculty, and chairman of Israel's National Section of Amnesty International. Professor Dinstein has been a visiting professor of law at New York University and the University of Toronto. He has also represented Israel as their consul in New York and in a number of International Organizations, including the U.N.

The topic of Professor Dinstein's address dealt with the application of human rights law to the occupied territories in Israel. He pointed out that the general law pertaining to human rights as reflected in the Universal Declaration of Human Rights and other similar international and regional covenants, is mostly inapplicable to the Israel-Arab conflict. The vast majority of these conventions, it was asserted, contain a derogation clause stating that in the time of war or national emergency, contracting parties are entitled to suspend the application of almost all the rights prescribed, including the right to not be subject to arbitrary detention, the right of freedom of expression, the right of freedom of assembly, etc. As Professor Dinstein put it, quoting from Cicero, "When the Cannons are roaring, the muse of Law is absolutely silent."

But Professor Dinstein took Cicero to task. He disagreed with Cicero's statement and said that in fact, in times of conflict, one is simply shifting gears from the ordinary law of Human Rights to International Humanitarian Law. International Humanitarian Law, which deals specifically with the law applicable in times of war and conflict, usually refers to the four Geneva Conventions of 1949 and, to a lesser extent, the Hague

Conventions of 1899 and 1907.

Of the four Geneva Conventions, the most relevant to the topic is the Fourth Geneva Convention dealing with civilians in time of war and *inter alia* in occupied territories. It was pointed out that while the first three conventions reflect customary international law, the fourth was drafted for the first time in 1949 in response to the unbelievable atrocities perpetrated by the nazis against civilians during the Second World War. It was noted that since 1949, the only country which has applied the Fourth Geneva Convention, thus admitting it was in a state of belligerent occupation and settlements; was Israel.

Professor Dinstein though, acknowledged that Israel has its own particular interpretations as to how the Fourth Geneva Convention should apply, most notably in three specific areas. These relate to the demolition of houses, deportations and settlements.

Under the convention, the destruction of private property is allowed only in the course of military operations. In the occupied territories, the Israeli military authorities, in exceptional circumstances, will evacuate and demolish a dwelling if it is suspected that it has been used by terrorists or their collaborators. Professor Dinstein felt that this represents a violation of the Convention and that ultimately it is far more effective and much less onerous to simply seal off the dwelling, thus denying the use of the premises to the owners. This allows the authorities to return the use of the dwelling to the owner once it has been ascertained that it will no longer be used in the assistance of terrorist activities.

Article 49 paragraph 1 of the Convention disallows individual or collective deportations. Professor Dinstein contends that the military command's belief that deportations are effective in combatting security risks is simply misguided. This is because any person, once deported, is free to undertake terrorist activities against Israeli targets from their new bases of operations. Professor Dinstein felt that administrative detention, expressly permitted by article 78 of the Fourth Geneva Convention, is a far more preferable alternative.

Professor Dinstein then dealt with the issue

of settlements. Article 49 paragraph 6 also disallows the transfer of population from the occupying country's territory, to occupied territory. The practical significance of this article hinges on the meaning of the word "transfer". Professor Dinstein believes that "transfer" in this context relates to government imposed or encouraged transfer, which would be illegal as opposed to a voluntary individual transfer, whereby individuals would purchase land in the occupied territories and move there of their own volition, which would not be illegal. Professor Dinstein points out that unfortunately in Israel, it is illegal to purchase and settle land in the occupied territories individually, it has to be done with the permission and assistance of the government. We thus find the exact opposite in Israel of what is allowed in international law, though it was granted that this was due to otherwise valid security considerations.

Professor Dinstein then concluded his speech by discussing the various difficulties involved in the application of International law generally and stated that for the most part, Israel's application of the Fourth Geneva Convention has been flawless.

After answering a few questions from the audience, Professor Dinstein and those assembled moved to the common room where a delicious bagel, lox and cream cheese lunch was offered, courtesy of the National Executive of the Canadian Jewish Law Students Association.

Future CJLSA activities include a proposed panel discussion on the upcoming referendum with representatives of the Liberal Party, The Party Québécois and the Equality Party, our perennial felaful sale (which may have already taken place by the time this article gets printed..), more speakers, some yet to be defined fun stuff, CJLSA's annual Lobby Day in Ottawa and our participation in the upcoming CJLSA National Conference/Weekend Blowout which this year might be held in Montreal. If you would like more information on these activities, or if you would like to lend your assistance in any way, please feel free to attend a meeting (signs will be posted) or call either David Abitbol at 934-5677, Jill Handelman at 989-7748 or Alicia Klein at 482-8521. ALL are welcome.